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AND EMERGENCY MANAGEMENT



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

September 26, 2012

Julius Genachowski
Chairman
Federal Communications Commission
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CPA
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Dear Mr. Chairman:

The Communications Innovators (CI) Petition for Declaratory Ruling in CG Docket No. 02-278 was filed earlier this summer and I would like to inquire on its status. While I am not commenting specifically on the substance of the petition, I believe this raises important issues that merit consideration by the Federal Communications Commission.

On June 7, 2012, CI filed a Petition for Declaratory Ruling with the FCC seeking to resolve the existing confusion over the use of predictive dialers for non-telemarketing purposes. The CI Petition asks the FCC to clarify, consistent with the text of the TCPA and Congressional intent, that predictive dialers that: (1) are not used for telemarketing purposes; and (2) do not have the current ability to generate and dial random or sequential numbers, are not "auto-dialers" under the TCPA and the FCC's TCPA rules.

I urge the FCC to address CI's Petition promptly, and I look forward to learning the status of the Communication Innovators petition.

Thank you for your consideration.

Sincerely,

BOB FILNER
Member of Congress

BF/fh



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554



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Control No. 1201340

The Honorable Bob Filner
U. S. House of Representatives
2428 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Filner:

Thank you for your letter regarding an issue currently pending at the Commission. You urged the Commission to address promptly the Communications Innovators Petition for Declaratory Ruling as a way of resolving the "existing confusion over the use of predictive dialers for non-telemarketing purposes."

We appreciate you making the Commission aware of your views and will pass them on to those currently addressing this matter. We will also make your letter a part of the official record of the proceeding.

Thank you again for your letter. Please do not hesitate to contact us again if you have additional concerns.

Sincerely,

Kris Anne Monteith
Acting Chief
Consumer and Governmental Affairs Bureau